This is a full and timely response to the outstanding non-final Office Action mailed August 7, 2007. Claims 1-29 are pending in the present application. Reconsideration and allowance of the application and pending claims are respectfully requested.

1. Response to Objections of the Abstract

The abstract of the invention has been objected to as failing to be in the correct format, having legal phraseology, and being over 150 words. Accordingly, the abstract has been amended to overcome the objections, and Applicants respectfully request withdrawal of the objections.

2. Response to Objections of the Claims

Claims 7-21 and 26-28 have been objected to as being in improper form because of the dependency of multiple dependent claims from other multiple dependent claims and incorrect claim numbering. Accordingly, the claims have been amended to overcome the objections, and Applicants respectfully request withdrawal of the objections.

3. Response To Rejections of Claims Under 35 U.S.C. § 102

Claims 1-6 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by *Frey* (U.S. Patent No. 5,848,128). Claims 22-25 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by *Roque* (U.S. Patent Publication No. 2002/0186687 A1)

a. Claims 1-6

As provided in independent claim 1, Applicants claim:

> A method of controlling a local process that forms part of a first processing entity, said first processing entity maintaining a plurality of associations with a plurality of remote processes in a second processing entity, said method comprising the steps of:

- receiving a failure message from a remote process indicating a fault affecting an association linking the local process with that remote process;

- queueing data messages destined for that remote process;

- controlling the transmission of an acknowledgement of the failure message so that data messages pending on the association are received at that remote process before the acknowledgment of the failure message; and

- initiating a traffic diversion to set up an alternate path between said first processing entity and said second processing entity for queued data messages.

(Emphasis added).

Applicants respectfully submit that independent claim 1 is allowable for at least the reason that *Frey* does not disclose, teach, or suggest at least "controlling the transmission of an acknowledgement of the failure message so that data messages pending on the association are received at that remote process before the acknowledgment of the failure message," as emphasized above.

For example, *Frey* describes a process where if an acknowledgment of processing of a message by a call processor is not made, a backup call processor is activated. After the backup call process or is activated, the message is sent to the backup call processor so that the message may be processed by the backup call processor. *See* steps 204-208 of FIG. 2. As such, *Frey* fails to disclose that an acknowledgment of a failure of a remote process is controlled so that pending data messages for the association between the local process and the remote process (which is indicating the failure) are received at the remote process. Accordingly, *Frey* does not disclose that pending data messages are sent to a remote process after the remote process indicates that there is a failure. For at least this reason, *Frey* fails to teach or suggest "controlling the transmission of an acknowledgement of the failure message so that data messages pending on the association are received at that remote process before the acknowledgment of the failure message," as recited in claim 1.

Further, claimed features such as "wherein the controlling comprises delaying the acknowledgment of the failure message," as recited in claim 2, are also not taught or suggested by *Frey*. Therefore, claim 1 and claims 2-6 which depend there from are not anticipated by *Frey,* and the rejections of claims 1-6 should be withdrawn.

b. <u>Claims 22-25</u>

As provided in independent claim 22, Applicants claim:

> A method of recovering failure in a distributed signalling gateway maintaining a plurality of associations between signalling gateway processes of said distributed signalling gateway and application server processes of an application server, said method comprising the steps of:
>
> - initiating a traffic diversion in response to a failure message to set up an alternate path between said signalling gateway processes and said application server processes in case of fault affecting an association;
>
> - initiating a switch back to include a new association linking a signalling gateway process and an application server process;
>
> *- according to the change of status of any association, updating routing tables capable of routing data messages received by said signalling gateway processes to its destined application server processes; and*
>
> *- distributing sequentially messages from said signalling gateway to said plurality of application server processes according to said routing tables.*

(Emphasis added).

Applicants respectfully submit that independent claim 22 is allowable for at least the reason that *Roque* does not disclose, teach, or suggest at least "according to the change of status of any association, updating routing tables capable of routing data messages received by said signalling gateway processes to its destined application server processes" and "distributing sequentially messages from said signalling gateway to said plurality of application server processes according to said routing tables," as emphasized above.

For example, *Roque* describes a process for an application server process (ASP) to manage a withdrawal of service by a signalling gateway process (SGP). In this process, an SGP may send a "set of messages that will convey SGP state maintenance and SGP traffic maintenance events . . . related to an SGP . . . to an ASP." Para. 0201. The ASP may also send notifications related to a status of a Signalling Gateway (SG) (including SGPs for the SG) to the SGPs that serve the SG. *See* para. 0218. As such, the disclosure of *Roque* is not directed to routing data

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messages received by a signaling gateway to an application server. Rather, *Roque* describes that the status information for a SG is the basis used to route traffic <u>from an ASP to a SG</u>. *See* para. 0252. Accordingly, *Roque* fails to teach or suggest "according to the change of status of any association, updating routing tables capable of routing data messages <u>received by said signalling gateway processes to its destined application server processes</u>" and "distributing sequentially messages <u>from said signalling gateway to said plurality of application server</u> processes according to said routing tables," as recited in claim 22.

Further, claimed features such as "controlling the transmission of an acknowledgement of the failure message so that data messages pending on the association are received at the application server process before the acknowledgement; and finding alternate path to forward subsequent stateless processing messages onto another application server process through another association or to forward subsequent stateful processing messages through an alternate signalling gateway process still associated with the same application server process," as recited in claim 23, among others, are not taught or suggested by *Roque*. Therefore, claim 22 and claims 23-25 which depend there from are not anticipated by *Roque*, and the rejections of claims 22-25 should be withdrawn.

4.   Claims 7-21 and 26-29

The Office Action indicates that claims 7-21 and 26-29 were not examined on the merits. Applicants respectfully submit that the patentability of claims 7-21 and 26-29 follows directly from the patentability of independent claim 1 and independent claim 22. Claims 7-21 and 26-29 also recite additional features. Accordingly, Applicants respectfully submit that claims 7-21 and 26-29 are allowable over the cited art.

CONCLUSION

For at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

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